

CHARTER COMMISSION
CITY AND COUNTY OF HONOLULU
711 Kapiolani Blvd. Suite 1485
Honolulu, Hawaii 96813



A G E N D A

TUESDAY, JANUARY 10, 2006
REGULAR MEETING

CITY COUNCIL CHAMBERS
THIRD FLOOR, HONOLULU HALE
2:00 P.M.

RECEIVED
CITY CLERK
C&C OF HONOLULU
MEETING NOTICES ONLY
JAN 4 1 42 PM '06

1. Call to Order by Chair Donn Takaki
2. For Discussion and Action: Proposed changes to Rules. Deleted material is struckthrough; added material is underlined.
 - a. Proposed Rule Change re Voting. This rule change clarifies that voting on the initial review of proposals requires approval of a majority of those present, and that further voting on proposals requires approval of seven or more commissioners:

RULE 2. VOTING: RULE OF THE MAJORITY

- a. *Procedural matters, requests for information, and internal Commission matters shall require the approval of a majority vote of those present at any meeting. Voting on the initial review of proposed charter amendments for further consideration shall be considered a procedural matter under this Rule.*
- b. *Matters of substance, including all votes other than the initial vote on any proposed charter amendments, shall require the approval of seven members of the Commission. Proposed charter changes require a minimum of two reviews, adoption and/or approvals of the Commission as set forth in Rule 4 before inclusion on the general election ballot.*

- c. *Each member shall have one vote. No votes by proxy shall be permitted.*
 - d. *Any member can vote on a pending motion and participate in discussion on every debatable motion before it is finally acted upon. The holding of an office on the Commission shall not disqualify the member from making motions, participating in debate, or voting.*
 - e. *Voting shall be by voice or by show of hands. A roll call vote shall be required when requested by at least three members.*
- b. **Proposed Rule Change re Public Testimony. This proposed rule change gives the Chair discretion to limit public testimony at the Commission's planned public outreach meetings (currently anticipated for various locations around Oahu in March 2006) to one minute:**

RULE 8. TESTIMONY BY MEMBERS OF THE PUBLIC

Members of the public may address comments to the Commission at any public meeting of the Commission on matters relevant to the Commission's review of the Charter. Whether comments are relevant shall be determined by the Chair.

At the Commission's regular meetings, comments ~~Comments~~ from members of the public shall be limited to five minutes but such time limit shall not include pertinent responses by the speaker to questions posed by the members of the Commission. Speakers shall be requested to submit two copies of their testimony to the Commission but the failure to provide testimony shall not bar a person from speaking. A speaker's time may be limited to three minutes if, in the discretion of the Chair, such limitation is necessary to accommodate all persons desiring to address the Commission at that meeting.

Notwithstanding the above, at the Commission's public outreach meetings, testimony may be limited at the Chair's discretion to one minute.

Those members of the public desiring to address comments to the Commission shall register with the secretary at the beginning of the meeting.

3. Executive Administrator's Report

Report, discussion and action regarding, among other matters:

- Breakdown of proposals into groups for future meetings
- Overall process for proposal review and supermajority procedure
- Initial review and cut down process for proposals
- Dates, locations, and structure of public hearings

4. For Discussion and Action – Initial Discussion and Vote on Proposal Items:

Subject to discussion, the Commission intends to proceed as follows: Testimony will first be taken on each item under category “A” (“Relating to Ethics”) below. Following testimony on all items under category “A”, a vote will be taken on each item under category “A”. Then testimony will be taken on each item under category “B” (“Relating to Budget and Taxes”) below. Following testimony on all items under category “B”, a vote will be taken on each item under category “B”. Finally testimony will be taken on each item under category “C” (“Relating to New Agencies/Programs”) below. Following testimony on all items under category “C”, a vote will be taken on each item under category “C”.

An affirmative vote of the Commission on a proposal will move the proposal forward for further analysis and review; proposals that do not receive an affirmative vote will be dropped from consideration by the Commission.

All proposals are posted in PDF format on the Charter Commission website at <http://www.honolulu.gov/chc>. Hard copies are available for review at the Charter Commission office and the Municipal Library.

Also please note: Due to the anticipated length of the meeting, the Commission plans to take a short recess at approximately 4:00 p.m., and an approximately 30-minute recess from 5:45-6:15 p.m.

A. RELATING TO ETHICS

1. **PROPOSAL 3** - Ethics Commission; Allow the Ethics Commission to fine violators of the ethics code.
2. **PROPOSAL 18** - Ethics Commission; Give the Commission enforcement powers in the way of fines or other punishments.

3. [PROPOSAL 28](#) - Ethics Commission; Allow the Ethics Commission to impose civil fines.
4. [PROPOSAL 29](#) - Ethics Commission; Clarify the independence of the Ethics Commission.
5. [PROPOSAL 30](#) - Ethics, Charter Commission, Reapportionment Commission; Include the members of the Charter and Reapportionment Commissions as city officers for purposes of the ethics laws.
6. [PROPOSAL 31](#) - Impeachment; Provisions re impeachment of elected officials are invalid; options to correct the charter.
7. [PROPOSAL 41](#) - Standards of Conduct; Codify within the charter existing state law and provide uniform standards of conduct within all city entities.
8. [PROPOSAL 44](#) - Standards of Conduct; Codify within the charter existing state law and provide uniform standards of conduct within all city entities.
9. [PROPOSAL 68](#) - Boards and Commissions; Revise provisions regarding conflict of interest for members of boards and commissions
10. [PROPOSAL 88](#) - Ethics Commission; Change Ethics Commission member selection process and allow Commission to set executive director salary

B. RELATING TO BUDGET AND TAXES

1. [PROPOSAL 2](#) - Property Assessments; Assessed property values to be capped.
2. [PROPOSAL 23](#) - Budget; Revise section regarding "Preparation and Submission of the Program and Annual Budget for Executive Branch" to ensure adequate resources for CIP budget.
3. [PROPOSAL 34](#) - Budget; Administration and enforcement of the executive capital budget ordinance -- lapse in 12 rather than 6 months.
4. [PROPOSAL 52](#) - Budget; Require that the Mayor sign a budget bill before exercising line-item veto authority.

5. [PROPOSAL 73](#) - Department of Budget and Fiscal Services; Require the director to prepare an annual report of long-term obligations of the city.
6. [PROPOSAL 82](#) - Budget; Change the fiscal year of the city from the period of July 1 to June 30 to the period of October 1 to September 30.

C. RELATING TO NEW AGENCIES/PROGRAMS

1. [PROPOSAL 4](#) - Department of Community Services; Establish an Advisory Commission on Community Services and Housing.
2. [PROPOSAL 46](#) - Genetically Modified Organisms; Protect the county's agriculture, environment, economy and private property from genetically modified organisms.
3. [PROPOSAL 57](#) - Transportation; Establish a new, temporary agency in the city to develop the new public transportation system to be funded by the tax surcharge.
4. [PROPOSAL 66](#) - Transportation; Create a transit authority or board to build a rail system.
5. [PROPOSAL 91](#) - Property Taxes and New Fund; Set aside one-half percent (1/2%) of real property tax revenues for land and natural resources protection and one-half percent (1/2%) of real property tax revenues for affordable housing.
6. [PROPOSAL 92](#) - Department of Strategic Initiatives; Establish a new Department of Strategic Initiatives.
7. [PROPOSAL 93](#) - Youth Commission; Establish a new Youth Commission.
8. [PROPOSAL 96](#) - Environmental Bill of Rights; Add new article with an "environmental bill of rights" for current and future residents.
9. [PROPOSAL 97](#) - Commission on the Environment; Establish a new Commission on the Environment.

Further Discussion and Action:

Following the discussion and vote on the proposals the Commission will hold further discussion on the handling and review of proposals and future meetings.

The Commission will discuss and act on the calendar and upcoming events and deadlines, including:

- Dates of future meetings
- Requests for staff research and other testimony
- Dates and locations for public outreach meetings – March 2006

5. Committee Reports

- a. Budget Committee, Chair James Myers, Members Andrew Chang, Darolyn Lendio
- b. Submission and Information Committee, Chair Jan Sullivan, Members Gordon Grau, Amy Hirano
- c. Personnel Committee, Chair Darolyn Lendio, Members Jeff Mikulina, Donn Takaki
- d. Rules Committee, Chair Jared Kawashima, Members Jeff Mikulina, Malcolm Tom.

6. Officers Reports

- a. Chair Donn Takaki
- b. Vice-Chair Jeff Mikulina
- c. Treasurer Jim Myers
- d. Secretary James Pacopac

7. Announcements

8. Next Meeting of the Charter Commission

To be discussed and determined.

9. Adjournment

Notice regarding public testimony:

Please note that under the Rules of the Commission, speakers are requested to submit two copies of their testimony. Written testimony may be mailed to the Commission, faxed to 592-8633, or e-mailed to charter@honolulu.gov. The Commission requests that written testimony be submitted no later than 24 hours prior to the meeting. Testimony will be accepted on agenda items only, and will be taken at the time the item comes up for discussion by the Commission.

You are requested to register to speak if you wish to provide oral testimony. Generally, oral testimony will be limited to five minutes. However, a speaker's time may be limited to three minutes if, in the discretion of the chair, such limitation is necessary to accommodate all persons desiring to address the commission at the meeting.